

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

PHYLL MENDACINO,

No. 2:18-cv-02234-JE

Plaintiff,

ORDER

v.

THE OREGON BOARD OF PAROLE  
AND POST-PRISON SUPERVISION,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation [ECF 23] on October 2, 2019, in which he recommends that the Court enter judgment dismissing the Petition for Writ of Habeas Corpus [ECF 1] and decline to issue a certificate of appealability on the basis that Petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2). The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

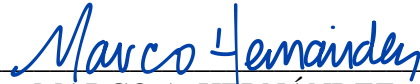
Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

### CONCLUSION

The Court ADOPTS Magistrate Judge Jelderk's Findings and Recommendation [ECF 23]. Accordingly, the Petition for Writ of Habeas Corpus [ECF 1] is dismissed, and the Court declines to issue a certificate of appealability.

IT IS SO ORDERED.

DATED: September 15, 2020.

  
MARCO A. HERNÁNDEZ  
United States District Judge